

## REMARKS

This is a full and timely response to the outstanding final Office Action mailed February 12, 2007. Reconsideration and allowance of the application and pending claims are respectfully requested.

### **I. Claim Rejections - 35 U.S.C. § 102(b)**

Claims 1, 3, 4, 6, 20, 21, 24, 25, and 27 have been rejected under 35 U.S.C. § 102(b) as being anticipated by *Shaffer, et al.* ("Shaffer '181," U.S. Pat. No. 6,389,181). Applicant respectfully traverses this rejection.

It is axiomatic that "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(b).

In the present case, not every feature of the claimed invention is represented in the Shaffer '181 reference. For example, referring to independent claim 1, Shaffer '181 does not teach "querying" the user to "identify" one or more features that were detected in the "detecting" action recited in the claim. Applicant further notes that Shaffer '181 provides no teaching of such "querying" in either column 5, lines 1-6 or column 7, lines 43-51, which were identified by the Examiner. If the Examiner disagrees, Applicant requests that the Examiner explicitly identify the language contained in those passages of Shaffer '181 that provide(s) the teachings. To present, the Examiner has merely

block copied Applicant's claims and provided column and line references to Shaffer '181 without providing any explanation of the teachings found in those locations.

As a further matter, Shaffer '181 does not teach "receiving identification information provided by the user in association with one or more of the received images". Again, Shaffer '181 does not query the user for such "identification information" and it logically follows that such information is not received. Also, column 5, lines 1-6 and column 8, lines 14-43, which were identified by the Examiner, fail to describe receipt of such identification information. If the Examiner disagrees, Applicant requests that the Examiner explicitly identify the language contained in those passages of Shaffer '181 that provide(s) the teachings.

Furthermore, Shaffer '181 fails to teach "storing the received images and any user-provided identification information such that the identification information is associated with one or more of the received images". As indicated above, the system in Shaffer '181 does not query for or receive "user-provided identification information". It logically follows then that such information is not stored.

In view of the above, Shaffer '181 fails to anticipate claim 1 or its dependents.

Turning to independent claim 20, Shaffer '181 at least fails to teach "means for querying the user to identify one or more of the detected features", "means for receiving identification information provided by the user in association with one or more of the received images", and "means for storing the received images and any user-provided identification information such that the identification information is associated with one or more of the received images" for reasons described above. Accordingly, Shaffer '181 fails to anticipate claim 20 or its dependents.

Regarding independent claim 24, Shaffer '181 at least fails to teach an image analysis module that includes logic that is configured to "query the user to identify one or more of the detected features and receive identification information provided by the user in association with one or more of the received images" and an image storage module that includes logic that is configured to "store the received images and any user-provided identification information such that the identification information is associated with one or more of the received images" for reasons described above. Accordingly, Shaffer '181 fails to anticipate claim 24 or its dependents.

## **II. Claim Rejections - 35 U.S.C. § 103(a)**

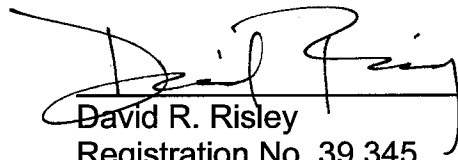
Claim 8 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Shaffer' 181* in view of *Shaffer, et al.* ("Shaffer '461," U.S. Pat. No. 5,784,461). Applicant respectfully traverses this rejection.

As is identified above, Shaffer '181 does not teach aspects of Applicant's claims. In that Shaffer '461 does not remedy the deficiencies of Shaffer '181, Applicant respectfully submits that claim 8 is allowable for at least the same reasons that claim 1 is allowable over Shaffer '181.

### CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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